

City of Selah
Council Minutes

October 10, 2006

Regular Meeting
Selah Council Chambers
115 West Naches Avenue
Selah, WA 98942

A. Call to Order Mayor Jones called the meeting to order at 3:59pm.

B. Roll Call

Members Present: Brian Harris, Keith Larson, Paul Overby, Allen Schmid,
Herb Schmidt, Scott Smeback

Members Excused: Denise Nichols

Staff Present: Frank Sweet, City Supervisor; Jerry Davis, Fire Chief; Joe Henne, Public
Works Director; Dennis Davison, Community Planner; Jeff Hagler, Parks
& Rec Director

C. Pledge of Allegiance

Councilman Herb Schmidt led the Pledge of Allegiance. Parks & Recreation Director Jeff Hagler led the group in prayer.

D. Agenda Changes

E. Public Appearances

F. Getting To Know Our Businesses

G. Communications

1. Oral

2. Written

a. Letter from Randy Lee, General Mgr. Charter Communications

H. Proclamations/Announcements

1. Proclamation for Fire Prevention Week October 8-14, 2006

Mayor Jones read the Proclamation for Fire Prevention Week October 8-14, 2006. He praised the work the Fire Department does.

Fire Chief Jerry Davis reported that yesterday the Fire Department had 4 kindergarten tours, this morning a fire safety talk at John-Campbell, an assembly tomorrow Selah Gym Kids. He noted his department will be doing two more assemblies at John-Campbell, and Friday the 13th will be doing some daycares. All-in-all they will touch between 600-700 kids.

Mayor Jones praised the fire department, noting it is made up of 5 full time plus 65 volunteer fire-fighters.

I. Consent Agenda

Councilman Schmidt moved and Councilman Larson seconded to adopt the Consent Agenda.

Councilman Schmid asked that Item M-2 be pulled off the Consent Agenda because a Public Hearing on that item is part of the Regular Agenda.

Mayor Jones read the Consent Agenda as amended.

By voice vote, motion carried unanimously.

All items listed with an asterisk (*) were considered as part of the Consent Agenda.

- * 1. Approval of Minutes: Council Meeting September 26, 2006
- * 2. Approval of Claims & Payroll: Claims check nos. 48371 – 48371 for a total of \$121,284.00, Claims check nos. 48372 - 48456 for a total of \$362,466.48, and Payroll checks nos. 59471 – 59555 for a total of \$145,256.52.

J. Public Hearings

1. Public Hearing Apodaca-Garner Annexation

Community Planner Dennis Davison addressed the Public Hearing on the proposed Apodaca-Garner annexation. He reviewed the location on East Naches, noting the Council enlarged the proposed annexation when they originally heard this proposal. However, the larger area did not have adequate support, so now the item is in its original form with 65% of property owners supporting. He noted the area is proposed to be zoned industrial.

Councilman Allen Schmid asked if there is a possibility of a 30-foot right-of-way on the north part of the parcel to be annexed. He stated we can't have the north lots without access.

Mr. Davison responded that there are no rights of record; property owners just drive across other people's property.

Allen Schmid suggested we require the dedication now so that we'd have it in the future. He noted, if we don't need it later, we can always dedicate it back.

Mayor Jones questioned whether there is adequate set-back for a 30-foot right-of-way. He opened the Public Hearing

Donna Garner, proponent, P.O. Box 879, Selah, asked the Council not to take 30 feet of their property. She stated the lots are small and they will need to meet parking requirements. She noted when they tried to annex all of the lots behind (north), those people had an opportunity to be part of it. She stated one on the front didn't sign because they were afraid the City was going to take their property. She noted the lots that are part of the proposed annexation have access to the street.

Seeing no one rise to speak on this item, Mayor Jones closed the Public Hearing.

K. New Business

L. Old Business

1. Selection of Site for Skateboard Park

Jeff Hagler addressed Item L-1 noting Selah C.A.N. recommended Site No. 1 on North Wenas Avenue. He passed around an additional handout illustrating three access points to the proposed site: finishing a solid fence from existing fence to Wenas Avenue with a new gate along Wenas, the existing gate at tennis court, and third gate from tennis court parking lot. He noted those gates would be locked when the skateboard park is not open.

Brian Harris asked whether the baseball field would be totally inaccessible when that gate is locked.

Jeff Hagler responded it would be inaccessible to a degree. There ensued discussion about the accessibility of ballparks to the public.

Frank Sweet stated the intent is to close the park to access for maintenance during the winter months.

Mayor Jones stated there is access from Carlon Park side unless there are scheduled games. He noted previously we had the skate park where the miniature golf used to be. There were problems there, so we moved it over by the Teen Center, but we still have problems with trash and graffiti. He noted across the street from the proposed area, the city is developing a business area. He warned if the skateboard park is not kept up, I will see to it that it is locked. He stated if the area is not kept up, he would not have a problem with having it "jack hammered right out of there."

Frank Sweet stated his hope that some direction on the site will come out of this meeting as well as the proposed size. He stated we would not hope to approve the site today, rather get a feeling from the Council.

Allen Schmid said he sees no need to have water at this location. He noted ½ a block up the street there is a restroom. He said there's no need for a drinking fountain. He praised the North Wenas site. He said skaters are working harder at taking care of equipment since new apparatus has gone in. He noted they have cleaned up and cleaned off graffiti. He asked those present to let him know who is tagging "OSM" around the City. He reiterated his whole-hearted support for moving the park to the North Wenas site.

Herb Schmidt asked what kind of action the Parks & Rec Director expects today.

Jeff Hagler responded he is looking for some direction from Council.

Mayor Jones said cost is an issue. He gave the example of McGonagle park and soccer participants who bring money into the City. He said it is not appropriate for City to put down a slab and purchase equipment without skateboarders participating in paying for it.

Allen Schmid reminded the Council that skateboarders have participated financially in this process, raising several thousand dollars toward equipment.

Paul Overby stated the deadline is April. He stated by then we should have enough information to put it in this budget cycle. There was general agreement.

M. Resolutions

1. Resolution Authorizing the Mayor to Sign an Agreement for Utility Cost Review Services

Clerk/Treasurer Dale Novobielski reported the Finance Committee, the City Supervisor and he participated in a conference call to AuditHead. He noted as a result of that call AuditHead made some changes in the agreement: removing reference to cellular/wireless systems, including requirement of written approval from the City for any changes, and removing "indirect" savings. He noted he included an offer the City has already received from Quest in the agreement.

Council Member Schmid moved to approve the Resolution Authorizing the Mayor to Sign an Agreement for Utility Cost Review Services. Council Member Schmidt seconded. Roll was called: Council Member Smeback – yes; Council Member Schmid – yes; Council Member Schmidt – yes; Council Member Overby – yes; Council Member Larson – yes Council Member Harris – yes. Motion passed unanimously.

2. Resolution Approving the Apodaca-Garner Annexation, Adopting the Findings of Fact and Directing Staff To Submit Application to the Yakima County Review Board

Dennis Davison addressed Item M-2, noting the Apodaca-Garner property is 135 feet deep. He suggested if the Council is insistent upon the 30-foot right-of-way, we should re-circulate a petition to see if sufficient property-owners will sign it.

Herb Schmidt asked about the width of the properties.

Dennis Davidson noted the properties are 25-75 feet in width. He stated it is industrial zoning and not there to perpetuate residential lots.

Scott Smeback asked what the minimum setback is on industrial property.

Dennis Davison responded that it is zero, but they will still need to provide off-street parking for employees.

Allen Schmid noted if you never need the right-of-way, you can always deed it back. He stressed the city must be careful to maintain transportation routes for the future.

Mayor Jones stated that piece of street starts nowhere and ends nowhere.

Paul Overby stated it is hard to see why a street would be necessary even if the northern lots decided to annex.

Frank Sweet asked if we couldn't get part of that right-of-way from the property owners to the north. He noted it seems to be punishing those who want to annex.

Keith Larson stated his agreement that we might want to put a road in there in the future, but suggested it might make more sense to put a road to the north of the north property at such time as they want to annex.

Herb Schmidt noted the tax base of this annexation will be positive for the City. He moved approval of the Apodaca-Garner annexation. Councilman Overby seconded.

Brian Harris asked if there is any way we could re-ask the people to the north if they want to annex now.

Allen Schmid said this issue went to the Planning Commission, and they recommended the Council look at annexing the property to the north at the same time we approved this annexation.

Roll was called on the motion to approve: Council Member Smeback – yes; Council Member Schmid – yes; Council Member Schmidt – yes; Council Member Overby – yes; Council Member Larson – yes Council Member Harris – yes. Motion passed unanimously.

- * 3. Resolution Authorizing the Mayor To Sign a Release of Covenant Restricting Access to Speyers Road and Prohibiting Access to Cherry Avenue
- * 4. Resolution Authorizing the Mayor to Sign Change Order Number 3 for Crusher Canyon Road Improvements
- * 5. Resolution Authorizing the Mayor to Sign Change Order Number 4 for Crusher Canyon Road Improvements
- * 6. Resolution Authorizing the Mayor to Sign Change Order Number 5 for Crusher Canyon Road Improvements

N. Ordinances

- * 1 Ordinance Amending Title 8 Traffic, Section 8.70.070 To Increase Speed Limit on Crusher Canyon Road
- 2. Ordinance Amending S.M.C. Title 8, Chapter 8.70.020 Parking on Certain Streets

Public Works Director Joe Henne addressed Item N-2 noting the Ordinance to should be corrected to include the following parking prohibitions:

- (16) Yakima Avenue, both sides, West of 16th Street;
- (17) 16th Street, both sides, from Yakima Avenue to Cedar;
- (18) North 4th Street, both sides, 100 feet north of West Fremont Avenue

Councilman Schmid asked whether the Council should prohibit parking on Crusher Canyon from 4th to the City limits.

Joe Henne noted there's no place to park there already, so the striping would preclude parking.

City Attorney Bob Noe said parking there would be an obstruction of the right-of-way.

Councilman Schmid moved approval of the ordinance as corrected. Keith Larson seconded.

Councilman Schmidt asked about the east side 3rd Street north from Fremont to Bartlett. The amendment was accepted as friendly.

Roll was called on the motion as amended. Council Member Smeback – yes; Council Member Schmid – yes; Council Member Schmidt – yes; Council Member Overby – yes; Council Member Larson – yes; Council Member Harris – yes. Motion passed unanimously.

O. Communications

1. Oral

P. Reports/Announcements

1. Mayor
2. Council Members
3. Boards
4. Departmental

Pinky Paxton thanked the Mayor, Administrative Assistant, City Attorney and Council for their help on the release of covenant on her property.

Mayor Jones introduced the reappointment of Eve Semon to the Yakima County Tourism Promotion Area Motel/Hotel Commission.

Allen Schmid moved and Scott Smeback seconded to reappoint Eve Semon. By voice vote, motion carried unanimously.

City Supervisor Frank Sweet handed out preliminary 2007 budget, reminding the Council it is very preliminary. He stated it includes a 4% water rate increase, 6% sewer rate increase and 4% garbage rate increase. He noted budget meetings started today with the Parks & Rec Director and tomorrow with Fire and Police. He noted it will be in interesting budget year.

Mayor Jones explained the budget process to students in the audience.

Councilman Smeback stated Crusher Canyon looks great, and truck and bus traffic seems to be moving well. He stated he would like to see a bicycle lane added. He noted we need to make sure Crusher Canyon doesn't become a weed patch.

City Supervisor Frank Sweet reported the preliminary budget shows revenues of \$12,856,105 with operating expenditures of \$7,096,863 and capital outlays of \$5,834,387.

Councilman Smeback praised the Wastewater Treatment report from the Department of Ecology.

Councilman Brian Harris reported the Council went to the Visitor Bureau today for its Study Session. He noted the Center sells wine at the same price as the wineries. He described the building as well done.

Mayor Jones noted that Councilman Schmidt has volunteered his time to the Visitor Center. He praised the Councilman's efforts.

Councilman Schmidt urged the audience and staff to stop by that Center, noting they might pick up materials on the valley, perhaps something that could be used in school.

Councilman Schmid reiterated Councilman Smeback's praise for the Treatment Facility and report. He reported he spent Saturday and Sunday attending the NASCAR races in Kansas City. He noted that was very interesting, and he also looked at a couple of skateboard parks while he was there.

Jeff Hagler reported the Selah Skatepark Association is planning a competition.

Public Works Director Joe Henne reported they still need turn arrows on Crusher, and hopefully will have a streetlight soon. He announced the TIB ribbon-cutting road dedication of Crusher Canyon will be held at 11:00am Tuesday, October 24. Representatives from the Department of Transportation, WA State Safety Commission, community and City leaders will be in attendance.

Councilman Schmid reminded the Council that they agreed to do public forums at the Civic Center the first Wednesday of each month. He suggested the Public Works Committee headed by Councilman Overby host the first forum. The Public Works Director noted he will be out of town on November 1.

Mayor Jones said everything has been "business as usual" for him.

Q. Executive Session

R. Adjournment

Council Member Schmidt moved and Overby seconded that the meeting be adjourned. By voice vote, the motion passed unanimously. The meeting adjourned at 5:18pm.

Robert L. Jones, Mayor

Paul Overby, Council Member

Keith Larson, Council Member

(Excused)

Denise Nichols, Council Member

Brian Harris, Council Member

Herb Schmidt, Council Member

Allen Schmid, Council Member

Scott Smeback, Council Member

ATTEST:

Dale E. Novobielski, Clerk/Treasurer